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September 17, 2018

VIA CM/ECF

Honorable Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square, Courtroom 443
New York, NY 10007-1312

Re: Benedetto v. Sixth Avenue Grimaldi, Inc., et al.-
Case 1:17-cv-008453-VEC

Dear Judge Caproni:

The undersigned represents the Plaintiff in the above-captioned case matter.

On September 14, 2018, an Order was signed by your Honor [D.E. 36] stating that this matter shall be dismissed on September 17, 2018, absent a showing of cause why the Court should continue to exercise jurisdiction.

While the parties had recently filed a Notice of Settlement on September 13, 2018 [D.E. 35], the corresponding settlement agreement has only been executed by the Plaintiff, and has not yet been signed by the Defendant Sixth Avenue Grimaldi, Inc., which should constitute good cause why this matter should not be prematurely dismissed today. In addition, the undersigned counsel is currently out of his office and the country, in Israel, in preparation and observance of the recent Jewish Holidays (including Yom Kippur which begins tomorrow evening). Therefore, a short one-time two (2) week extension of time, prior to dismissal without prejudice of this matter, is hereby respectfully requested in order to accomplish the anticipated full execution (not payment) of said settlement agreement or to reopen this matter. In the alternative, if the Court is unable to extend this dismissal deadline, it is hereby respectfully requested that the matter be reopened and restored to the Court's calendar.

The Court is advised that this is the Plaintiff's first request to extend the aforementioned deadline in this matter, and that undersigned counsel has both emailed and called (from Israel) opposing counsel, who, to date, has neither provided us with a signed settlement agreement nor responded with his position regarding consent. Thank you for your attention to this one-time short extension request.

Sincerely,

By: /S/ B. Bradley Weitz

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